

# NOTICE

Ref no.2/1/4/4/2

2019-08-20

**NOTICE OF THE 7th COUNCIL MEETING OF  
THE COUNCIL OF BREEDE VALLEY MUNICIPALITY  
TUESDAY, 2019-08-20 AT 10:00**

**TO** The Speaker, Cllr N.P.Mercuur [Chairperson]  
The Executive Mayor, Alderman A. Steyn (Ms)  
The Deputy Executive Mayor, Cllr J.D. Levendal

**COUNCILLORS**

M.N. Bushwana	A.Pietersen
R. Farao	P.C. Ramokhabi
Alderman S.Goedeman	J. Robinson
E.N. Isaacs	M. Sampson
Alderman C. Ismail	E.Y. Sheldon
M. Jacobs	I.L. Tshabile
J.R.Jack	Alderman P.Tyira
J.D.P.Jaftha	E.Van der Westhuizen
J.P. Kritzinger	J.F. Van Zyl
P.B.Langata	J.J. Von Willingh
Z.M. Mangali	W.Vrolick
T.Maridi	T.M. Wehr
E.S.C. Matjan	N.P. Williams
T. McThomas	
S.J.Mei	M.T. Williams
W.R.Meiring	C.F. Wilskut
	L. Willemse
S.M. Mkhiwane	N.J. Wullschleger
V.I. Mngcele	
C.M. Mohobo	
N.Nel	

Notice is hereby given in terms of Section 29, read with Section 18(2) of the *Local Government: Municipal Structures Act, 117 of 1998*, as amended, that the **7th COUNCIL MEETING** of the **COUNCIL** of **BREEDE VALLEY MUNICIPALITY** will be held in the **COUNCIL CHAMBERS, CWDM, 51 TRAPPE STREET, WORCESTER** on **TUESDAY, 2019-08-20** at **10:00** to consider the items on the Agenda.



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**SPEAKER**  
**CLLR NP MERCURUR**

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## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE
1.	<b>OPENING AND WELCOME</b>	
2.	<b>OFFICIAL NOTICES</b>	
2.1	Disclosure of interests	
2.2	Applications for leave of absence	
3.	<b>COMMUNICATION</b>	
3.1	Interviews or presentations by deputations	
3.2	Birthdays of Councillors	
3.3	Long Service Awards: Employees	
3.4	Statements by the Speaker	
3.5	Statements by the Executive Mayor	
4.	<b>CONFIRMATION OF MINUTES</b>	
4.1	The minutes of the following Council meeting were previously distributed	
4.2	6th Council Meeting: 2019-07-23	
	<b>FOR CONFIRMATION</b>	
5.	<b>REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE MAYORAL COMMITTEE</b>	
5.1	The Deputy Executive Mayor: Cllr. J.D. Levendal <b><u>Mayco Meeting held on 21 May 2019</u></b>	
5.1.1	<b>GEMEENSKAPSVEILIGHEID: ONDERSOEK DEUR WES-KAAPSE PROVINSIALE POLISIE-OMBUDSMAN</b>	
5.2	MMC1: Cllr. M Sampson	
5.3	MMC3: Cllr. J.P Kritzinger	
5.4	MMC4: Cllr. R Farao	
5.5	MMC5: Cllr. S.J Mei	
5.6	MMC6: Cllr. E.Y. Sheldon	
5.7	MMC7: Cllr. W.R. Meiring <b><u>Mayco Meeting held on 21 May 2019</u></b>	
5.7.1	<b>IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED FEBRUARY 2019 MFMA SECTION 71 Report</b>	
5.7.2	<b>IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED APRIL 2019 MFMA SECTION 71 Report</b>	
5.8	MMC8: Cllr. J.F. Van Zyl	

5.9	MMC9: Cllr J. Von Willingh	
<b>6.</b>	<b>CONSIDERATION OF MATTERS SUBMITTED BY THE ADMINISTRATION</b>	
6.1	ROLL OVER FROM 2018/2019 FINANCIAL YEAR - ADJUSTMENTS BUDGET 2019/2020 - 20 AUGUST 2019	
6.2	2020/2021 IDP & BUDGET REVIEW TIME SCHEDULE & PROPOSED WARD COMMITTEE/PUBLIC ENGAGEMENT PLAN	
6.3	PROPOSED AMENDMENTS TO BANKING CONTRACT – NEDBANK IN COMPLIANCE WITH SECTION 116(3) OF THE MFMA	
6.4	2019/2020 PERFORMANCE AGREEMENTS OF THE MUNICIPAL MANAGER AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER	
6.5	FUNDING SUPPORT FROM THE DEVELOPMENT BANK OF SOUTHERN AFRICA (DBSA) FOR THE DEVELOPMENT OF INFRASTRUCTURE MASTER PLANS	
6.6	REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH: JULY 2019	
<b>7.</b>	<b>CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER</b>	
<b>8.</b>	<b>CONSIDERATION OF MATTERS SUBMITTED BY THE CHAIRPERSON OF COUNCIL</b>	
8.1	ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS: CLLR NIK WULLSCHLEGER	
<b>9.</b>	<b>CONSIDERATION OF NOTICES OF MOTION AND NOTICES OF QUESTIONS WHICH SHALL APPEAR ON THE AGENDA IN THE ORDER IN WHICH THEY HAVE BEEN RECEIVED BY THE MUNICIPAL MANAGER</b>	
<b>10.</b>	<b>CONSIDERATION OF MOTION OF EXIGENCY</b>	
<b>11.</b>	<b>CLOSURE</b>	
11.1	Copy of notice placed on notice boards	

**1. OPENING AND WELCOME**

In terms of the Rules of Order for Internal Arrangement By-Law 2012 the chairperson must take the chair at the time stated in the notice of the meeting or as soon thereafter as is reasonably possible: provided that the meeting does not commence later than 30 (thirty) minutes after the time stated in the notice of the meeting and must proceed immediately with the business of the meeting.

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**2. OFFICIAL NOTICES****2.1 DISCLOSURE OF INTERESTS**

Item 5 of the Code of Conduct for councillors' states:

A councillor must –

- (a) disclose to the council, or any committee of which that councillor is a member, any direct or indirect personal or private business interest that that councillor or any spouse, partner or business associate of that councillor may have in any matter before the council or the committee; and
- (b) withdraw from the proceedings of the council or committee when that matter is considered by the council or committee, unless the council or committee decides that the councillors' direct or indirect interest in the matter is trivial or irrelevant.

**2.2 APPLICATIONS FOR LEAVE OF ABSENCE**

In terms of the Rules of Order for Internal Arrangement By-Law 2012;

- 2.2.1 Every Councillor attending a meeting of the Council must sign his or her name in the attendance register kept for such purpose.
  - 2.2.2 A Councillor must attend each meeting except when –
    - (a) Leave of absence is granted in terms of Clause 10; or
    - (b) The Councillor is required to withdraw in terms of law.
  - 2.2.3 The Attendance Registers will be available at the meeting.
  - 2.2.4 A blank Application for Leave of Absence form is enclosed.
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**3. COMMUNICATION****3.1 INTERVIEWS OR PRESENTATIONS BY DEPUTATIONS**

In terms of the Rules of Order for Internal Arrangement By-Law 2012;

*"A deputation seeking an interview with Council must give the Municipal Manager **6 (six) days** written notice of its intention and furnish details of the representations to be made and the source of the deputation. The Municipal Manager must submit a request by a deputation for an interview with Council to the Speaker, who may decide to grant or refuse an interview and under what conditions*

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**3.2 BIRTHDAYS OF COUNCILLORS**

Alderman P. Tyira	29 August 2019
Cllr M. Sampson	30 August 2019
Cllr C.F. Wilskut	6 September 2019
Cllr N.Wullschleger	21 September 2019
Cllr T. Maridi	1 October 2019
Cllr R. Farao	5 October 2019
Cllr T. McThomas	9 October 2019
Cllr C. Ismail	10 October 2019
Cllr N.Nel	25 October 2019

**3.3 LONG SERVICE AWARDS: EMPLOYEES**

NUMBER	NAME AND SURNAME	POST TITLE AS AT DATE OF LONG SERVICE AWARD	LONG SERVICE YEARS
1	Sharon Davids	Superintendent Driving Licence	10
2	Johnboy Mthonjeni	Gatekeeper	10
3	Lowynn Neethling	Senior Clerk Rates	10
4	Paul Gysman	Superintendent Parks & Open Spaces	30

**3.4 STATEMENTS BY THE SPEAKER****3.5 STATEMENTS BY THE EXECUTIVE MAYOR****4. CONFIRMATION OF MINUTES**

- 4.1 In terms of the Rules of Order for Internal Arrangement By-Law 2012;
- (a) Minutes of the proceedings of meetings must be compiled in printed form and be confirmed by the Council at the next meeting and signed by the Speaker.

- (b) The minutes shall be taken as read, for the purpose of confirmation, if a copy thereof was sent to each Councillor within forty-eight hours before the next meeting, subject to the provisions of sub-Clause (4).
- (c) No motion or discussion shall be allowed on the minutes, except in connection with the correctness thereof.
- (d) The minutes formulated and screened during meetings, shall constitute a resolution for purposes of implementation of decisions.

#### **4.2 Council Meeting held on 23 July 2019 (Copy enclosed)**

##### **RECOMMENDATION**

That in respect of

##### **CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING**

**discussed by Council at the Council meeting held on 20 August 2019:**

1. As the Minutes of the Council Meeting held on 23 July 2019 were sent to each councillor at least forty-eight hours prior to the meeting, the minutes of the Council meeting held 23 July 2019 be taken as read and confirmed.
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#### **5. REPORT BY THE EXECUTIVE MAYOR ON DECISIONS TAKEN BY THE EXECUTIVE MAYOR, THE EXECUTIVE MAYOR TOGETHER WITH THE DEPUTY EXECUTIVE MAYOR AND THE MAYORAL COMMITTEE**

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##### **5.1 The Deputy Executive Mayor: Cllr. J.D. Levendal**

##### **Mayco Meeting held on 21 May 2019**

##### **5.1.1 GEMEENSKAPSVEILIGHEID: ONDERSOEK DEUR WES-KAAPSE PROVINSIALE POLISIE-OMBUDSMAN**

##### **RESOLVED:**

##### **EX12/2019**

- 1.1 Dat die Wes Kaapse Provinsiale Polisie-Ombudsman versoek word om 'n oorsigbesoek aan die Breedevallei Munisipaliteit (Raad/Mayco) te bring om homself te vergewis van die uitdagings met betrekking tot misdaad en bende geweld en dat rolspelers soos die SAPD, Gemeenskapsorganisasies,
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gemeenskapsleiers, kerkleiers, besigheidsinstansies, boerderygemeenskap, ensovoorts genooi word om die sessie by te woon.

2. Dat die Speaker, in konsultasie met die Munisipale Bestuurder, gemagtig word om die aansoek/uitnodiging namens die Raad van die Breedvallei Munisipaliteit, te hanteer.

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**5.2 MMC1: Cllr. M. Sampson**

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**5.3 MMC 3: Cllr. J.P. Kritzinger**

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**5.4 MMC 4: Cllr. R. Faroa**

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**5.5 MMC 5: Cllr. S.J. Mei**

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**5.6 MMC 6: Cllr. E.Y. Sheldon**

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**5.7 MMC 7: Cllr. W.R. Meiring**

**Mayco Meeting held on 21 May 2019**

**5.7.1 IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED  
FEBRUARY 2019  
MFMA SECTION 71 Report**

**RESOLVED:**

**EX10/2019**

That in respect of

**IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED  
FEBRUARY 2019  
MFMA SECTION 71 Report**

discussed by MayCo at the MayCo meeting held on the 21 May 2019:

That MayCo takes note of the contents in the In-year monthly report for February 2019 as set out in the schedules contained in Section 4 (In-year budget statement tables) as well as the supporting documentation in Section 6 to 13.

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1. Table C1 – Monthly Budget Statement Summary;
2. Table C2 – Monthly Budget Statement – Financial Performance (Standard classification);
3. Table C3 – Monthly Budget Statement – Financial Performance Standard classification (Revenue and expenditure by Municipal vote);
4. Table C4 – Monthly Budget Statement – Financial Performance (Revenue by Source and Expenditure by Type);
5. Table C5 – Monthly Budget Statement – Capital Expenditure;
6. Table C6 – Monthly Budget Statement – Financial Position; and
7. Table C7 – Monthly Budget Statement – Cash Flows.

**5.7.2 IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED  
APRIL 2019  
MFMA SECTION 71 Report**

**RESOLVED:**

**EX11/2019**

That in respect of

**IN-YEAR FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED  
APRIL 2019  
MFMA SECTION 71 Report**

discussed by MayCo at the MayCo meeting held on the 21 May 2019:

That MayCo takes note of the contents in the In-year monthly report for April 2019 as set out in the schedules contained in Section 4 (In-year budget statement tables) as well as the supporting documentation in Section 6 to 13.

1. Table C1 – Monthly Budget Statement Summary;
  2. Table C2 – Monthly Budget Statement – Financial Performance (Standard classification);
  3. Table C3 – Monthly Budget Statement – Financial Performance Standard classification (Revenue and expenditure by Municipal vote);
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4. Table C4 – Monthly Budget Statement – Financial Performance (Revenue by Source and Expenditure by Type);
  5. Table C5 – Monthly Budget Statement – Capital Expenditure;
  6. Table C6 – Monthly Budget Statement – Financial Position; and
  7. Table C7 – Monthly Budget Statement – Cash Flows.
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**5.8 MMC 8: Cllr. J.F. Van Zyl**

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**5.9 MMC 9: Cllr J.J. Von Willingh**

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**6. CONSIDERATION OF AGENDA ITEMS****6.1 ROLL OVER FROM 2018/2019 FINANCIAL YEAR - ADJUSTMENTS BUDGET  
2019/2020 - 20 AUGUST 2019****File No. /s:** 3/2/2/15**Responsible Official:** R Ontong**Directorate:** Financial Services**Portfolio:** Financial Services

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**1. Purpose:**

To submit an Adjustments budget for the 2019/2020 financial year as a result of roll-overs from the 2018/2019 financial year.

**2. Background:**

Section 28 (2) (e) of the MFMA states the following: An Adjustments Budget – “may authorise the spending of funds that were unspent at the end of the past financial year where the under-spending could not reasonably have been foreseen at the time to include projected roll-overs when the annual budget for the current year was approved by the council;”

In terms of the Budget and reporting regulations, Regulation 23(5) on Government Gazette No: 32142, Notice No: 393 of 2009 states; An adjustments budget referred to in section 28(2) (e) of the MFMA may only be tabled after the end of the financial year to which the roll-overs relate, and must be approved by the municipal council by 25 August of the financial year, following the financial year to which roll-overs relate.

Further, section 30 of the MFMA states that; “The appropriation of funds in an annual or adjustments budget lapses to the extent that those funds are unspent at the end of the financial year to which the budget relates, except in the case of an appropriation for

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expenditure made for a period longer than that financial year in terms of section 16 (3).”  
Conditional grant funding must also be rolled over or refunded to the allocating authority.

“Municipalities may not rollover unspent conditional grant spending in terms of section 28(2) (e) of the MFMA (read together with regulation 23(5) of the Municipal Budget and Reporting Regulations) because they are national/provincial funds. The applicable rollover process is then given effect through the municipal adjustments budget in January/February each year for all the cash/transfers that had already been transferred to the bank accounts of municipalities prior to the end of the financial year. In this regard refer to MFMA Budget Circular No. 51 for more information.

Section 21 of the 2013 Division of Revenue Act requires that any conditional grants which are not spent at the end of the municipal financial year must revert to the National Revenue Fund, unless the receiving officer proves to the satisfaction of National Treasury that the unspent allocation is committed to identifiable projects, in which case the funds may be rolled over.”

### **3. Financial Implications:**

Financial implications are contained in the detail in this report.

### **4. Applicable Legislation / Council Policy:**

1. The MFMA Section 28, 30 and 16(3)
  2. Municipal Budget and Reporting Regulations
  3. Council Budget related Policies
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# **ROLLOVER ADJUSTMENTS BUDGET 2019/20**



**BREEDE VALLEY**  
MUNICIPALITY • MUNISIPALITEIT • UMASIPALA

**20 August 2019**

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Contents

SECTION A – Part 1 .....	14
1. Glossary .....	14
2. Mayoral Report .....	7
3. Resolutions .....	17
4. Executive Summary.....	18
5. Adjustments Budget Tables.....	20
B1 Consolidated Adjustments Budget Summary .....	20
B2 Consolidated Adjustments Budget Financial Performance .....	20
B3 Consolidated Adjustments Budget Financial Performance.....	20
B4 Consolidated Adjustments Budget Financial Performance.....	20
B5 Consolidated Adjustments Budget Capital Expenditure .....	20
B6 Consolidated Adjustments Budget Financial Position .....	20
B7 Consolidated Adjustments Budget Cash Flows.....	20
B8 Consolidated Cash Backed Reserves/Accumulated Surplus .....	20
B9 Consolidated Asset Management .....	20
B10 Consolidated Basic Service Delivery Measurement .....	20
SECTION A – Part 2 .....	21
1. Adjustments to Budget Inputs and Assumptions .....	21
2. Adjustments to Budget Funding .....	9
3. Adjustments to Expenditure on Allocations and Grant .....	21
4. Adjustment to Allocations or Grants made by the Municipality .....	22
5. Adjustment to Councillor Allowances and Employees .....	22
6. Adjustment to Service Delivery and Budget .....	22
7. Adjustment to Capital Spending Detail.....	22
8. Other Supporting Documents .....	22

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**SECTION A – Part 1****1. Glossary**

**Adjustments Budgets** – Prescribed in section 28 of the Municipal Finance Management Act. It is the formal means by which a municipality may revise its budget during a financial year.

**Allocations** – Money received from Provincial and National Treasury.

**Budget** – The financial plan of a municipality.

**Budget related policy** – Policy of a municipality affecting or affected by the budget.

**Capital Expenditure** – Spending on municipal assets such as land, buildings and vehicles. Any capital expenditure must be reflected as an asset on a municipality's balance sheet.

**Cash Flow Statement** – A statement showing when actual cash will be received and spent by the Municipality, and the month end balances of cash and short term investments.

**DORA** – Division of Revenue Act. The annual piece of legislation that indicate the allocations from National Government to Local Government.

**Equitable Share** – A general grant paid to municipalities. It is predominantly targeted to assist with free basic services.

**GDFI** - Gross Domestic Fixed Investment

**GFS** – Government Finance Statistics. An internationally recognised classification system that facilitates comparisons between municipalities.

**IDP** – Integrated Development Plan. The main strategic planning document of a Municipality.

**KPI** – Key Performance Indicators. Measures of service output and/or outcome.

**LM** – Breede Valley Municipality.

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**MFMA** - Municipal Finance Management Act (No 53 of 2003). The principle piece of legislation relating to municipal financial management.

**MTREF** – Medium Term Revenue and Expenditure Framework as prescribed by the MFMA sets out indicative revenue and projected expenditure for the budget year plus two outer financial years to determine the affordability level.

**Operating Expenditure** – Spending on the day to day expenses of a municipality such as general expenses, salaries & wages and repairs & maintenance.

**Rates** – Local Government tax based on assessed valuation of a property.

**TMA** – Total Municipal Account

**SDBIP** – Service Delivery Budget Implementation Plan. A detailed plan comprising quarterly performance targets and monthly budget estimates.

**Strategic Objectives** – The main priorities of a municipality as set out in the IDP Budgeted spending must contribute towards achievement of these strategic objectives.

**Vote** – One of the main segments into which a budget is divided, usually at department level.

### **Abbreviations and Acronyms**

AMR	Automated Meter Reading
ASGISA	Accelerated and Shared Growth Initiative
BPC	Budget Planning Committee
CBD	Central Business District
CFO	Chief Financial Officer
CPI	Consumer Price Index
CRRF	Capital Replacement Reserve Fund
DBSA	Development Bank of South Africa
DoRA	Division of Revenue Act
DWA	Department of Water Affairs
EE	Employment Equity

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EEDSM	Energy Efficiency Demand Side Management
EM	Executive Mayor
FBS	Free basic services
GAMAP	Generally Accepted Municipal Accounting Practice
GDP	Gross domestic product
GDS	Gauteng Growth and Development Strategy
GFS	Government Financial Statistics
GRAP	General Recognised Accounting Practice
HR	Human Resources
HSRC	Human Science Research Council
IDP	Integrated Development Strategy
IT	Information Technology
kℓ	kilolitre
km	kilometre
KPA	Key Performance Area
KPI	Key Performance Indicator
kWh	kilowatt-hour
ℓ	litre
LED	Local Economic Development
MEC	Member of the Executive Committee
MFMA	Municipal Financial Management Act
MIG	Municipal Infrastructure Grant
MM	Municipal Manager
MMC	Member of Mayoral Committee
MPRA	Municipal Properties Rates Act
MSA	Municipal Systems Act
MTEF	Medium-term Expenditure Framework
MTREF	Medium-term Revenue and Expenditure Framework

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NERSA	National Electricity Regulator South Africa
NGO	Non-Governmental organisations
NKPIs	National Key Performance Indicators
OHS	Occupational Health and Safety
OP	Operational Plan
PBO	Public Benefit Organisations
PHC	Provincial Health Care
PMS	Performance Management System
PPE	Property Plant and Equipment
PPP	Public Private Partnership
PTIS	Public Transport Infrastructure System
RG	Restructuring Grant
RSC	Regional Services Council
SALGA	South African Local Government Association
SAPS	South African Police Service
SDBIP	Service Delivery Budget Implementation Plan
SMME	Small Micro and Medium Enterprises

## **2. Mayors Report**

The 2019/20 roll-over Adjustments Budget serves the purpose of allocating unspent and underspent funds, which are committed to identifiable projects in the 2019/20 financial year budget. These projects, due to unforeseen circumstances could not be fully implemented during the 2018/19 financial year, and therefore need to be rolled over to the current (2019/20) financial year to ensure continued service delivery.

## **3. Resolutions**

That council approves the following:

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- (a) To approve the adjustments budget as tabled in terms of section 28 of the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003).
- (b) The recommendations with regard to resolutions are contained at the end of this report and have been prepared and presented according to the budget regulations.

#### **4. Executive Summary**

The 2019/20 Adjustments Budget was compiled in accordance with section 28 of the Municipal Finance Management Act and regulation 23 of the Municipal Budget and Reporting Regulations.

In compiling the 2019/2020 roll-over Adjustments Budget, the importance of credibility, sustainability, responsiveness and affordability remains integral in striving to achieve the desired outcome of effective and efficient service delivery.

Below is the list of projects to be rolled over from the 2018/19 financial year to the 2019/20 financial year:

##### **4.1 Reservoir, supply pipeline and augmentation of pump station (MIG Counter funding): R1 522 034.00**

The rollover is due to delays caused by the collapse of the Langerug reservoir roof in January 2019. Project is anticipated to be completed towards the end of 2019.

##### **4.2 Sewer pump station and rising main (MIG Counter funding): R100 000.00**

The R100 000 rollover amount relates to the operational trail period for this project which is delayed due to late commencement of the implementation of the top structures at Transhex. This operational trail period can only commence once there is a sewer flow and is therefore anticipated to commence early in 2020.

##### **4.3 Durban street. - Replace overhead network to underground network complete.: R748 726.00**

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The rollover is as a result of delays experienced due to availability of material. Project to be completed at the end of 2019.

**4.4 Escape stairs and blinding at electrical new offices: R161 793.00**

The rollover is due to quotations received for the project being above the R200 000 threshold. The municipality is currently in the process of redesigning the staircase and request quotations thereafter.

**4.5 Replace 11 Kv cable from Rumosa to Voortrekkerweg (1 500 m @ 185 mm AI PILC ): R1 000 000.00**

The rollover is as a result of delays experienced due to availability of material. Project to be completed at the end of 2019.

**4.6 Replace 11 Kv cable from Mc Allistor to Field Sub (1 600 m @ 185 mm AI PILC): R4 484 301.00**

The rollover is as a result of delays experienced due to availability of material. Project to be completed at the end of 2019.

**4.7 Tractors (x2) replacement Parks: R800 000.00**

This request for rollover is due to no responsive bidders during the first round of advertisement. The tender was subsequently re-advertised, and the municipality is currently in the evaluation stage.

**4.8 Upgrade Library (Waterloo Library): R300 104.00**

The rollover amount is funding committed towards the finalisation of the abovementioned project in line with the tender awarded. The Library is in the final stages of completion.

**4.9 Air conditioner (ICT): R150 000.00**

The rollover amount is due to payments withheld due to poor work performance. All issues / concerns are currently in the process of being resolved and the supplier will be paid in September 2019, subject to acceptable quality of work.

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**4.10 Wi Fi Access Points: R750 000.00**

The municipality went out on tender the bid for this project and subsequently discovered that the items as per the specifications are to be discontinued and to be replaced with an enhanced version. This forced the municipality to cancel the tender and revise the specifications in line with the latest market availability / offering. The tender was then re-advertised and is currently in the evaluation stage.

**4.11 Resealing of Municipal Roads – Worcester: R2 234 000.00**

The rollover represents commitments in terms of the existing contract with the contractor for reseal of roads that could not be finalised during the 2018/19 financial year. It should be noted that adverse weather conditions experienced in recent months negatively affected the implementation of this project.

**1. Adjustments Budget Tables – refer to Annexure A**

B1 Consolidated Adjustments Budget Summary

B2 Consolidated Adjustments Budget Financial Performance by Standard Classification

B3 Consolidated Adjustments Budget Financial Performance by Municipal Vote

B4 Consolidated Adjustments Budget Financial Performance (Revenue and Expenditure)

B5 Consolidated Adjustments Budget Capital Expenditure Vote and Funding

B6 Consolidated Adjustments Budget Financial Position

B7 Consolidated Adjustments Budget Cash Flows

B8 Consolidated Cash Backed Reserves/Accumulated Surplus Reconciliation

B9 Consolidated Asset Management

B10 Consolidated Basic Service Delivery Measurement

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**SECTION A – Part 2****1. Adjustments to Budget Inputs and assumptions**

The 2019/2020 roll-over Adjustments Budget was compiled in line with Chapter 4 Municipal Finance Management Act and Chapter 2 Part 4 of the Municipal Budget and Reporting Regulations.

The 2019/20 roll-over Adjustments Budget remain consistent with the Long-Term Financial Plan to ensure continued synergy between long term planning and implementation planning.

As per the legislative prescript mentioned above, these underspending was not foreseen during the compilation of the 2019/20 annual budget. Only projects committed to identifiable projects as at the end of the 2019/20 financial year are included in the roll-over Adjustments Budget, unless determined otherwise by the Accounting Officer / Municipal Manager based on the merits of these related projects.

The roll-over of the abovementioned projects came about as a result of delays outside the control of the Municipality. The causes of these delays have been established and corrective measures have been put in place to monitor progress, which will promote effective and efficient implementation in the 2019/20 financial year.

**2. Adjustments to Budget Funding**

Budget funding in terms of operating and capital expenditure is set out on tables B4 and B5.

**3. Adjustments to Expenditure on Allocations and Grant**

Detailed particulars of budgeted allocations and grants can be found on SB8.

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**4. Adjustment to Allocations or Grants made by the Municipality**

None.

**5. Adjustment to Councillor Allowances and Employees**

The changes to councillor allowances and employee related cost is provided on table B4.

**6. Adjustment to Service Delivery and Budget**

The monthly targets for revenue, expenditure and cash flows are provided in B10 - Section B Supporting Tables.

**7. Adjustment to Capital Spending Detail**

Information/detail regarding capital projects by vote is provided in Section B – Capital Budget, read with B5, B5B, SB16, SB17, SB18a, SB18b, SB18e and SB19.

**8. Other Supporting Documents**

- National treasury electronic revised budget report, SB1-SB19 as **Annexure A**
- Signed quality certificate as **Annexure B**

**Comment of Directorates / Departments concerned:**

Municipal Manager: **Recommendation Supported**

Director: Strategic Support Services: **Recommendation Supported**

Director: Financial Services: **Recommendation Supported**

Director: Technical Services: **Recommendation Supported**

Director: Community Services: **Recommendation Supported**

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**RECOMMENDATION:**

That in respect of

**ADJUSTMENTS BUDGET FOR 2019/20 – AUGUST 2019**

Discussed by Council at the Council meeting held on 20 August 2019:

1. **Council resolves that the rollover Adjustment Budget of Breede Valley Municipality for the financial year 2019/20 be adjusted and approved with amendments as set out in the following;**
  - a. **Municipal Budget tables B1- B10**
  - b. **Municipal Budget supporting documentation SB1 - SB19**

**To Action**

R. Ontong

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**6.2 2020/2021 IDP & BUDGET REVIEW TIME SCHEDULE & PROPOSED WARD COMMITTEE/PUBLIC ENGAGEMENT PLAN****File No./s:** 10/3/8**Responsible Official:** C. Malgas**Directorate:** Strategic Support Services**Portfolio:** IDP/SDBIP/PMS

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**1. Purpose:**

To table the 2020/2021 IDP & Budget Review Time Schedule containing key deadlines, linked to the planning cycle, for Council's approval. Council should note the activities implemented during July and August 2019.

To inform Council of the proposed ward committee/public engagement plan, scheduled in October 2019 and March 2020 respectively, and obtain Council's endorsement to finalise and advertise this schedule subject to final engagement with- and confirmation by each Ward Councillor that the logistical arrangements are in order.

**2. Background:**

Section 21(1) of the Municipal Finance Management Act (Act 56 of 2003) (MFMA) regulates the Budget preparation process; by stating that:

(1)The mayor of a municipality must:

(a)co-ordinate the processes for preparing the annual budget and for reviewing the municipality's integrated development plan and budget-related policies to ensure that the tabled budget and any revisions of the integrated development plan and budget-related policies are mutually consistent and credible;

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- (b) at least 10 months before the start of the budget year, table in the municipal council a time schedule outlining key deadlines for -
- (i) the preparation, tabling and approval of the annual budget;
  - (ii) the annual review of -
    - (aa) the integrated development plan in terms of section 34 of the Municipal Systems Act; and
    - (bb) the budget-related policies;
  - (iii) the tabling and adoption of any amendments to the integrated development plan and the budget related policies; and
  - (iv) any consultative processes forming part of the processes referred to in subparagraphs (i), (ii) and (iii).

Section 53(1)(b) of the MFMA prescribes that:

- (1) The mayor of a municipality must:
  - (b) co-ordinate the annual revision of the integrated development plan in terms of section 34 of the Municipal Systems Act and the preparation of the annual budget, and determine how the integrated development plan is to be taken into account or revised for the purposes of the budget.

Section 34 of the Local Government Municipal Systems Act (Act 32 of 2000) requires the Municipal Council to annually review its IDP in accordance with an assessment of its performance and to the extent that changing circumstances require. The Municipality must inform the public of the particulars of the process it intends to follow.

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**Comment:**

A copy of the 2020/2021 IDP & Budget Review Time Schedule and proposed ward committee/public engagement plan, is attached as Annexure "A"

**3. Financial Implications:**

None

**4. Applicable Legislation/Council Policy:**

Municipal Finance Management Act (Act 56 of 2003)

Municipal Systems Act (Act 32 of 2000)

**Comment of Directorates/Departments concerned**

**Municipal Manager:** Supported

**Director: Strategic Support Services:** Supported

**Director: Financial Services:** Supported

**Director: Technical Services:** Supported

**Director: Community Services:** Supported

**Senior Manager: Legal Services:** Supported

**RECOMMENDATION:**

That in respect of –

**THE 2020/2021 IDP & BUDGET REVIEW TIME SCHEDULE AND PROPOSED WARD COMMITTEE/PUBLIC ENGAGEMENT PLAN**

discussed by Council at the Council meeting held on 20 August 2019:

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1. That the 2020/2021 IDP & Budget Review Time Schedule of key deadlines (Process Plan) be approved in terms of Sections 21(1)(b) and 53(1)(b) of the Municipal Finance Management Act (Act 56 of 2003), (MFMA) read together with Sections 28 and 34 of the Local Government Municipal Systems Act (Act 32 of 2000).
2. That Council takes note of the proposed ward committee/public engagement plan, to be finalised with Ward Councillors and subsequently published on relevant platforms.

**To Action****C. Malgas**

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**6.3 PROPOSED AMENDMENTS TO BANKING CONTRACT – NEDBANK IN COMPLIANCE WITH SECTION 116(3) OF THE MFMA****File No./s:** 2/1/1/1**Responsible Official:** B Volschenk / M Magadla**Directorate:** Finance**Portfolio:** Revenue

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**1. Purpose**

The purpose of this report is to provide the necessary information and motivation on the proposed amendment of the banking services contract with Nedbank Limited, ending 31 March 2021, in terms of the enabling provisions of section 116(3) of the Local Government: Municipal Finance Management Act, Act No. 56 of 2003 (MFMA), to enable Council to make an informed decision whether to consent to the amendment of the contract.

With armed robbery increasing, it is necessary that Breede Valley Municipality re-assess the safeguarding of council's money. This means that we need to ensure that we mitigate the risk by finding innovative, cost effective and safer ways of safeguarding our cash. A viable option is to have an end to end banking solution which includes; banking, drop-in-vaults as well as cash-in-transit all managed by the same service provider. With drop-in-vaults at all BVM money collecting sites, it limits the risk of exposure to armed robbery and creates a more risk-free area as these risks would be transferred to the bank.

**2. Background/Motivation**

Section 116(3) of the MFMA provides as follows:

“(a) the reasons for the proposed amendment have been tabled in the council of the municipality or, in the case of a municipal entity, in the council of its parent municipality; and

(b) The local community-

(i) has been given reasonable notice of the intention to amend the contract or agreement and

(ii) has been invited to submit representations to the municipality or municipal entity.”

The complexes and risks of cash management these days requires the introduction of cash acceptance devices, which will be acceptable to the requirements of the current banking partner of the Municipality. The municipality should ideally have a cash management solution inclusive of drop-in-vaults, cash-in-transit, as well as banking

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solutions with a single workflow with safeguarding, the collection and banking of money. Considerations to introduce such a strategy for cash management should however be assessed carefully against the increasing crime rate in an area, the potential risks such as cash-in-transit and robberies as well as the requirements of the current banking partner of the Municipality (Nedbank). This means that any cash management system being introduced by the municipality should ensure that the products used are in-line with the requirements of the current Banking partner.

The Breede Valley Municipality is vulnerable to the risk of robberies at sites such as Nekkies Resort, Swimming Pools, Municipal Pay Points as well as Traffic Departments and this proves the need to invest in ways to safeguard council's money more efficiently and to ensure the safety of staff and clients. There was also a recent opinion, written by one of the readers of the Worcester Standard commenting about the lack of safety measures at the Worcester Traffic Department regarding safeguarding of money on the premises. The lack of cash acceptance devices exposes officials and clients to the risk of being harmed by criminals during an armed robbery.

In order to reduce this risk there is a need to expand the current Banking Services with Nedbank to include an all-inclusive banking solution where the bank offers an all-in-one solution which includes drop-in-vaults, cash in transit management and banking services as an option that the municipality needs to consider during these trying times of increased cash-in-transit heists and robberies.

## **2.1 Motivation**

### **2.2.1 Regulatory Requirements from National Treasury**

Section 63 (1) of the MFMA makes the Municipal Manager responsible for the management of municipal assets, including the safeguarding and the maintenance of those assets. It is therefore clear that it is the responsibility of the Municipal Manager to ensure the safeguarding of cash while it is still in the premises of the municipality. This means that the Municipal Manager should always take all reasonable steps to prevent or mitigate the risk of cash being lost by the Municipality.

Section 64(2)(d) of the MFMA further requires that the Municipal Manager takes all reasonable steps to ensure that that all money received is promptly deposited into the municipality's primary and other bank accounts on a timely basis. This is also required by section 7(2) of the said Act where it states that "All money received by a municipality must be paid into its bank account or accounts, and this must be done promptly and in accordance with this Chapter and any requirements that may be prescribed". It is therefore clear that the Municipal Manager has the responsibility of ensuring that there are processes in place to ensure that moneys received by the Municipality are recorded properly, safeguarded against theft,

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robbery as well as fraud. This includes making sure that there are reasonable steps taken to mitigate against the risk of these happening.

### **2.2.2 All-in-one Banking Solution/Contract**

There is a need to expand the current Banking Services with Nedbank (BV615) to include cash acceptance devices (Drop-in-vaults) which will assist with the banking of cash. This will ensure that the complexities of dealing with multiple service providers to deal with different components of cash management are reduced or minimized. Currently we are responsible for managing the Cash-in-transit contract and the risks associated with the cash are only transferred to the bank when the Cash-in-transit company drops the money at the bank. Any shortfalls or losses are not the responsibility of the bank. With the proposed arrangement the bank will take full responsibility of the cash when we deposit it into the device in our premises. Furthermore, the bank takes the responsibility of managing the cash-in-transit services. It will also reduce the risks that have already been identified above. Each of these devices will reduce the risk associated with handling cash onsite and improve operational efficiencies by transferring the risk to the bank when the cash is deposited. The following are the advantages of introducing these devices

- It ensures better employee security with less cash exposure. Once the cash is counted and verified, the cash is stored inside the device and can be removed only under dual control by the CIT company and manager/supervisor.
- The cash-up process is quicker because cash is deposited throughout the day, resulting in less time spent cashing up at the end of the day.
- No official will have access to the content inside the vault, and
- Insurance of the Content of the vault becomes the responsibility of the cash-in-transit company or bank.
- The Municipality starts to earn interest instantly as the money is reflected as being deposited on our bank account immediately.

### **2.2.3 Contractual Considerations with Service Providers**

It is proposed that the banking tender with Nedbank Limited should be expanded to include the rental of cash acceptance devices which is inclusive of the cash-in-transit solution and the insurance associated with cash management. It is further proposed that the cash-in-transit security service which ended at 30 June 2019 should be integrated with the banking service contract. The following reasons are applicable to the proposal:

1. The strategy is to follow a holistic approach to ensure that the strategic intent of the Municipality to integrate the banking services can be optimized to its full potential over the duration of the Banking Tender.
-

2. The integrated banking services will ensure accurate online deposit information; reduce time spent on cash enquiries and minimise surpluses and shortages.
3. To make a once-off provision for the required funding for a period of three years which could result in savings due to the economies of scale.
4. It will ensure that the risks associated with safeguarding of money and the associated risk of harm to staff and clients is minimised.

### 2.3 Conclusion

The municipality should strive to minimise risks associated with the handling of cash by transferring them to the service provider. This will ensure the safe keeping of Council's assets, in this case cash, is always optimised. Furthermore, the introduction of a holistic cash management process will result in efficiencies, improved cashflow management as well as better interest earnings with minimal risk to the employees and staff.

## 3. Financial Implications

### 3.1 Nedbank Limited

YEAR	2019/2020	2020/2021	
<b>SOURCE OF FUNDING</b>	<b>Operational Budget</b>	<b>Operational Budget</b>	
SCOA Description	Exp. - Operational Cost – Bank Charges	Exp. - Operational Cost – Bank Charges	
SCOA Cost Account	12403221580000	12403221580000	
SCOA Unique Key	20180704064136	20180704064136	
Budget Provision	R 1 406 402.00	R 1 485 160.00	
Escalation (if any)	CPI		
Escalation date	01 July 2020		

#### 4. Applicable Legislation / Council Policy

Local Government: Municipal Finance Management Act, 2003(Act 56 of 2003)  
Breede Valley Municipality Supply Chain Management Policy, as amended  
Breede Valley Municipality Contract Management Policy, as amended

#### 5. Comment of Directorates / Departments

**Municipal Manager:** Supported

**Director: Strategic Support Services:** Supported

**Director: Financial Services:** Supported

**Director: Technical Services:** Supported

**Director: Community Services:** Supported

**Senior Manager: Legal Services:** Supported

#### 6. Annexures

Annexure A: Intent to amend document

Annexure B: Signed Contract Specification and Bill of Quantities

Annexure C: Draft advertisement for 23 August 2019

#### RECOMMENDATION

That in respect of the

#### **PROPOSED AMENDMENTS TO THE BANKING CONTRACT SCOPE IN COMPLIANCE WITH SECTION 116(3) OF THE MFMA**

as discussed by Council at the Council meeting held on 20 August 2019:

- a) That cognisance be taken of the reasons for the proposed amendments of the contracts **BV615: PROVISION OF BANKING (AND RELATED) SERVICES FOR A PERIOD NOT EXCEEDING FIVE (5) YEARS** in terms of the enabling provisions of Section 116(3) of the Local Government: Municipal Finance Management Act 2003 (Act 56 of 2003) and the amendment to be consented to; and
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- b) That cognisance be taken that if no recommendations or representations will be received that the resolution will be implemented; and if Recommendations are received, then item will serve again before council.

**To Action**

M.Magadla

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**6.4 2019/2020 PERFORMANCE AGREEMENTS OF THE MUNICIPAL MANAGER  
AND MANAGERS DIRECTLY ACCOUNTABLE TO THE MUNICIPAL MANAGER****File No. /s:** 3/15/1**Responsible Official:** C. Malgas**Directorate:** Strategic & Support Services**Portfolio:** IDP/SDBIP/PMS

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**1. Purpose**

To inform Council of the annual Performance Agreements (for the period 2019/2020) of the Municipal Manager and Managers directly accountable to the Municipal Manager.

**2. Background**

In terms of section 57 of the Municipal Systems Act a person to be appointed as a Municipal Manager or Manager directly accountable to the Municipal Manager may only be appointed in that position in terms of a written employment contract and a separate performance agreement. In terms of Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, Notice 805 of 2006, the employment contract of Section 57 Managers, subject to labour legislation, specifically delineates the key components to be included in the contract such as:

- a) details of duties;
- b) remuneration;
- c) benefits; and
- d) other terms and conditions of employment

The Performance Agreement provides assurance to the municipal Council of what can and should be expected from their Section 57 Managers. The purpose thereof is to:

- Comply with the provisions of Sections 57(1)(b), (4A), (4B) and (5) of the Systems Act as well as the employment contract entered into between the parties;
-

- Specify objectives and targets defined and agreed with the employee and to communicate to the employee the employer's expectations of the employee's performance and accountabilities in alignment with the IDP, SDBIP and the budget of the municipality;
- Specify accountabilities as set out in a performance plan, which forms an annexure to the performance agreement;
- Monitor and measure performance against set targeted outputs;
- Use the performance agreement as the basis for assessing whether the employee has met the performance expectations applicable to his or her job;
- In the event of outstanding performance, to appropriately reward the employee; and
- Give effect to the employer's commitment to a performance-orientated relationship with its employee in attaining equitable and improved service delivery.

Section 53(3)(b) of the MFMA inter alia determine that the mayor must ensure that the performance agreements of the municipal manager, senior managers and any other categories of officials as may be prescribed, are made public and that copies of such performance agreements be submitted to the Council and the MEC for local government in the province.

### **Comment**

Copies of performance agreements are attached as Annexure "A"

### **3. Financial Implications**

None

### **4. Applicable Legislation**

Chapter 7 of the Local Government: Municipal Systems Act 32 of 2000

Local Government: Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, Notice 805 of 2006

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Local Government Municipal Systems Amendment Bill, No 7 of 2011

Local Government: Municipal Finance Management Act 56 of 2003

### **Comment of Directorates / Departments concerned**

**Municipal Manager:** Recommendation Supported

**Director: Strategic Support Services:** Recommendation Supported

**Director: Financial Services:** Recommendation Supported

**Director: Technical Services:** Recommendation Supported

**Director: Community Services:** Recommendation Supported

**Senior Manager: Legal Services:** Recommendation Supported

### **RECOMMENDATION**

That in respect of -

**The 2019/2020 Performance Agreements of the Municipal Manager and Managers directly accountable to the Municipal Manager discussed by Council at the Council meeting held on 20 August 2019**

1. That Council takes note of the performance agreements of the Municipal Manager and Managers directly accountable to the Municipal Manager.

### **To Action**

C. Malgas

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## 6.5 FUNDING SUPPORT FROM THE DEVELOPMENT BANK OF SOUTHERN AFRICA (DBSA) FOR THE DEVELOPMENT OF INFRASTRUCTURE MASTER PLANS

**File No. /s:** 11/1/B

**Responsible Official:** J. D. Pekeur

**Directorate:** Technical Services

**Portfolio:** Technical Services

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### 1. Purpose

To obtain Council's approval for the assistance from the Development Bank of Southern Africa (DBSA) with grant funding to the Breede Valley Municipality for infrastructure Master Plans.

### 2. Background

The Western Cape Government Department of Local Government (WCGDLG) and the Development Bank of Southern Africa (DBSA) signed a Memorandum of Agreement (MOA) in March 2017. The scope of the agreement was to partner on the development of infrastructure Master plans aligned to the long term financial plans of the respective Western Cape municipalities.

Through this agreement the DBSA together with the WCGDLG would assist municipalities in the Western Cape with grant funding for Infrastructure Master plans. The DBSA is in a process of identifying municipalities to be assisted in the 2019/2020 financial year.

The following Master Plans were identified during our engagement with the DBSA that needs assistance to be develop or updated; Water Conservation and Water Demand Management Plan (WC/WDMP), Water and Sewer Master Plans and Water Services Development Plan.

### 3. Financial Implications

No financial implications for the municipality, grant shall be paid directly to the service provider appointed by the DBSA for the provision of services relating to the project for the benefit of the Municipality

### 4. Applicable Legislation / Council Policy:

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The Water Services Act (Act No 108 of 1997).

**Comment of Directorates / Departments concerned:**

**Municipal Manager:** Support the item and recommendation

**Director: Community Services:** Support the item and recommendation

**Director: Strategic Support Services:** Support the item and recommendation

**Senior Manager: Legal Services:** Support the item and recommendation

**Manager: IDP:** Support the item and recommendation

**Director: Financial Services:** Support the item and recommendation

**Director: Technical Services:** Development Bank of Southern Africa (DBSA) will appoint and compensation of the service provider(s). Support the item and recommendation.

**RECOMMENDATION:**

That in respect of

**FUNDING SUPPORT FROM THE DEVELOPMENT BANK OF SOUTHERN AFRICA  
(DBSA) FOR THE DEVELOPMENT OF INFRASTRUCTURE MASTER PLANS**

As discussed by Council at the Council meeting held on 20 August 2019:

**Council approves:**

1. The assistance from the Development Bank of Southern Africa (DBSA) with grant funding to the Breede Valley Municipality for infrastructure Master Plans.

**To Action**

J. Pekeur

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**6.6 REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH: JULY 2019****File No./s:** 2/1/1/1**Responsible Official:** R. Ontong**Directorate:** Financial Services**Portfolio:** Supply Chain Management

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**1. Purpose**

To report to Council on all deviations and their reasons, approved by the delegated authority in terms of paragraph 36(2) of the Supply Chain Management Policy, for the month: July 2019.

**2. Background**

The purpose of this report is to ensure that Council maintains oversight over the implementation of the Supply Chain Management Policy. In terms of paragraph 36(2) of the said policy, the Accounting Officer must record the reasons for any deviations in terms of paragraph 36(1)(a) of the policy and report them to Council. However, it must be noted that these deviations also serve on the **monthly Section 71** (MFMA) report/s to Mayco and **quarterly Section 52** (MFMA) report/s to Council.

Deviations approved in terms of paragraph 36(1)(a) for the month of July 2019, are attached as **Annexure A**.

**3. Financial Implications**

None

**4. Applicable Legislation / Council Policy**

Municipal Finance Management Act. 2003, (Act 56 of 2003)  
Breede Valley Supply Chain Management Policy, as amended.  
Supply Chain Management Regulations

**Comment of Directorates / Departments****Municipal Manager:** Recommendation is noted**Director: Strategic Support Services:** Recommendation is noted

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**Director: Financial Services:** Recommendation is supported

**Director: Technical Services:** Recommendation is supported

**Director: Community Services:** Recommendation is supported

**Senior Manager: Legal Services:** Recommendation is supported

**Annexure**

Annexure A:                Schedule of deviations from the procurement processes approved in terms of sub-delegations

**RECOMMENDATION TO COUNCIL**

In respect of the

**REPORT TO COUNCIL ON DEVIATIONS FOR THE MONTH: JULY 2019**

As discussed by Council at the Council Meeting held on 20 August 2019

1. That the deviations from the procurement processes, approved in terms of the delegated authority for the month of July, **be noted**.

**To Action**

R. Ontong

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**AGENDA**

**7<sup>th</sup> COUNCIL MEETING OF THE  
BREEDE VALLEY MUNICIPALITY**

**2019-08-20**

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**7. CONSIDERATION OF REPORTS, COMMUNICATIONS, PETITIONS AND APPLICATIONS DEALING WITH MATTERS OF URGENCY SUBMITTED BY THE MUNICIPAL MANAGER**

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**8. CONSIDERATION OF MATTERS SUBMITTED BY THE CHAIRPERSON OF COUNCIL****8.1 ALLEGED BREACH OF CODE OF CONDUCT FOR COUNCILLORS:  
CLLR NIK WULLSCHLEGER****File No:** 2/1/1**Responsible Official:** Cllr N.P. Mercurur**Directorate:** Mayco**Portfolio:** Council

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**PURPOSE**

•To inform Council of the alleged breach of the Code of Conduct for Councillors by Cllr. Nik Wullschleger.

•For Council to, if so resolved, appoint a special committee as contemplated by Clause 14(1)(b) of Schedule 1 of the Systems Act, 2000 (32 of 2000)

**BACKGROUND**

On 23 July 2019 Cllr. Nik Wullschleger was a guest on Valley FM community radio station. He introduced himself as *"Nik Wullschleger 'n Raadslid van die BO Onafhanklik...ek dien tans seker so my derde jaar in die Breedevallei Munisipaliteit se Raad."*

It is thus clear that Cllr. Wullschleger acted in his capacity as Councillor of BVM and nowhere during the interview did he claim that he was acting in any other capacity.

He therefore "represented" the BVM Council and his actions must be regarded against that background.

During the interview led by ms. Marianne Vries (Vallei FM commentator) Cllr. Wullschleger made statements or endorsed/confirmed comments by ms. Vries which can be construed as breach of the Code of Conduct for Councillors as contemplated by Clause 2 of the Code, which reads as follows:

***"2 General conduct of councillors –******A Councillor must –***

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- a) *perform the functions of office in good faith, honestly and in a transparent manner; and*
- b) *at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised*

The Speaker of volition and after having listened to the live radio broadcast of the interview and afterwards again listening to a recording of the discussions came to the conclusion that reasonable suspicion exists that a breach has occurred (clause 13(1)).

Cllr. Wullschleger was on 25 July 2019 requested to furnish the Speaker with comments on the allegations of breach.

Attached hereto as annexure A is a copy of the response by cllr Wullschleger dated 8 August 2019.

Below is a **summary** of some of the comments and utterances by Cllr. Wullschleger which give rise to the allegation of misconduct (16 bullet points; English and Afrikaans for ease of reference) :

- Die regerende party in BVM het diep wortels met die “ou verlede”. Hulle is vasgebind aan daardie filosofie en strategieë
    - *The ruling party in BVM has deep roots with the part. They are bound to that philosophy and strategies*
  - Raadslede in BVM het nie die kapasiteit om inligting in te neem nie
    - *BVM Councillors do not have the capacity to absorb information*
  - Meeste Raadslede in die regerende party steek net hand op en word gesê waar om te stem
    - *Most Councillors in the majority party only raise their hands (to vote) and are told how to vote*
  - Die regerende party word blykbaar uit “Dorpstraat” (Kaapstad) regeer
    - *The ruling party is apparently being ruled from Dorp Street (Cape Town)*
  - Regeerders “apply nie mind nie”, volg instruksies van buite die Raad
    - *Rulers do not apply their minds. They follow instructions from outside of Council*
  - Die Transhex gebied is nie gebruik vir menslike bewoning
    - *The Transhex area is not fit for human settlement*
  - Toksikologiese verslae dui daarop dat arseen en chroom teenwoordig is op die Transhex-gronde
    - *Toxicological reports show the presence of arsenic and chrome on the Transhex grounds*
  - Die Raad sal waarskynlik ‘n hofbevel bekom om mense teen hul sin na Transhex te verskuif
    - *The BVM Council will in all probability obtain court orders to relocate people against their will to Transhex*
-

- Debatvoering in die Raad is swak
  - *Debates in Council are of a poor quality*
- Meerderheid van regerende party steek net hand op
  - *Majority of ruling party only raise their hands (in voting)*
- Wyksraadslid van Avianpark het teen sy eie gemeenskap gestem
  - *Avian Park Ward Councillor voted against his community*
- Transhex terrein is +/- 200 ha groot, maar slegs 6 grondmonsters is gedoen (pleks van een per ha...dus 200)
  - *Transhex area is +/- 200sq hectares but only 6 soil samples were taken (instead of 1 per ha...thus 200)*
- BO kry nie inligting vanaf BVM
  - *BO is denied access to information by BVM*
- Daar gaan 1000de gedienste erwe wees...(nie huise) erwe van 10 x 12 meter groot
  - *Thousands of serviced erven will be made available in Transhex in stead of houses. These erven will be 10 x 12 meter in extent*
- Munisipaliteit gaan "hokland"skep
  - *A shanty town will be created by Council.*
- BO Raadslede kry liefdesbriefies van Raad (Speaker)
  - *BO Councillors get love letters from Council (Speaker)*

NOTE: The full recording of the interview/discussion will be made available if so required.

Section 161 of the Constitution of the RSA and section 28 of the Municipal Structures Act, 1998 (117 of 1998) protect the freedom of speech of Councillors and grant immunity against civil and criminal liability for anything they **say in Council**.

Any statement outside of the Council meeting are however not protected by section 28. (See Swartboo v Brink CCT 27/02)

Clause 14(1) determines that a council may:

- (a) investigate and make a finding on any alleged breach of a provision of the Code of Conduct;  
or
  - (b) establish a special committee
    - i) to investigate and make a finding on any alleged breach of this code; and
    - ii) to make appropriate recommendations to council
-

LEGAL FRAMEWORK

- Constitution of the Republic of South Africa, 1996
- The Municipal Structures Act, 1998
- The Municipal Systems Act, 2000

SUBMITTED FOR CONSIDERATION

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**9. CONSIDERATION OF NOTICES OF MOTION AND NOTICES OF QUESTIONS WHICH SHALL APPEAR ON THE AGENDA IN THE ORDER IN WHICH THEY HAVE BEEN RECEIVED BY THE MUNICIPAL MANAGER**

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**10. CONSIDERATION OF MOTIONS OF EXIGENCY**

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**11. CLOSURE**

**11.1 COPY OF NOTICE PLACED ON NOTICE BOARDS**

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For information, a copy of the Notice follows:

**NOTICE IS HEREBY GIVEN** that a **COUNCIL MEETING**  
of the **Breed Valley Municipality** will be held on  
**TUESDAY, 20 AUGUST 2019 at 10:00** in the  
**COUNCIL CHAMBERS, CWDM, 51 TRAPPE STREET, WORCESTER**

Members of the media and the public wishing to attend the meeting must please contact **Mr. J.R. Botha (Public Relations Officer)** at **023 348 2807** during office hours to book one of the **16 (sixteen) seats available to the public** on a first come first served basis. The list will be closed at **15:15 on Friday, 16 August 2019** and will be handed to Security officials the morning of the meeting. Only persons whose names appear on the list will be allowed to attend the meeting and they must be seated at least five minutes before the scheduled start of the meeting. Once the meeting has started, no member of the public will be allowed into the meeting. If a member of the public leaves the meeting venue during the course of the meeting, he / she will not be allowed to return to the meeting.

**KENNIS GESKIED HIERMEE** dat 'n **RAADSVERGADERING**  
van die **Breede Vallei Munisipaliteit** op  
**DINSDAG, 20 AUGUSTUS 2019 om 10:00**  
gehou sal word in die  
**RAADSAAL, KWDM, TRAPPESTRAAT 51, WORCESTER**

Lede van die media en die publiek wat graag die vergadering wil bywoon moet asseblief **Mnr. J.R. Botha (Skakelbeampte)** by **023 348 2807** gedurende kantoorure kontak om een van die **16 (sestien) sitplekke wat vir die publiek beskikbaar is** op 'n "first come first served basis" te bespreek. Die lys sal om **15:15 op Vrydag, 16 Augustus 2019** sluit en sal aan Sekuriteitbeamptes die oggend van die vergadering gegee word. Alleenlik persone wie se name op die lys verskyn sal toegelaat word om die vergadering by te woon en hulle moet 'n sitplek inneem minstens vyf minute voor die geskeduleerde tyd van die vergadering. Niemand sal tot die vergadering toegelaat word wanneer dit reeds begin het nie. Indien 'n lid van die publiek die vergaderplek gedurende die duur van die vergadering verlaat sal hy / sy nie weer tot die vergadering toegelaat word nie.

**D. MCTHOMAS**  
**MUNICIPAL MANAGER/MUNISIPALE BESTUURDER**

**AUGUST 2019**

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